

# HOUSE BILL No. 1620

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-13-19.

**Synopsis:** Energy efficient buildings. Requires a government building to be designed, constructed, operated, and maintained to achieve or exceed the level of energy efficiency required under certain rating systems. Provides that Indiana hardwood lumber may be considered for use as a local source material in any project in which the use of Indiana hardwood lumber is practicable. Requires the fire prevention and building safety commission to revise the Indiana Energy Conservation Code before January 1, 2010. Requires the revised Indiana Energy Conservation Code to contain standards that exceed or are substantially equivalent to the standards set forth in the ASHRAE 100-2006 and ASHRAE 90.1-2007 standards.

**Effective:** Upon passage; July 1, 2009.

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**Pierce, Austin**

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January 16, 2009, read first time and referred to Committee on Ways and Means.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## HOUSE BILL No. 1620

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 4-13-19 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2009]:  
4 **Chapter 19. Government Building Design Standards for Energy**  
5 **Efficiency**  
6 **Sec. 1. This chapter applies to a design plan that is:**  
7 **(1) for the renovation or construction of a government**  
8 **building; and**  
9 **(2) approved by the owner of the government building after**  
10 **June 30, 2009.**  
11 **Sec. 2. As used in this chapter, "government building" means a**  
12 **building owned, occupied, and used by any of the following:**  
13 **(1) A state agency (as defined in IC 4-13-1-1(b)).**  
14 **(2) Any other authority, board, branch, commission,**  
15 **committee, department, division, or instrumentality of the**  
16 **executive branch of state government, including the following:**  
17 **(A) A license branch operated or administered under**



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IC 9-16.

(B) The state police department created by IC 10-11-2-4.

(3) Any of the following:

(A) A state educational institution (as defined in IC 21-7-13-32).

(B) A body corporate and politic created by statute.

(C) The judicial department of state government.

(D) The legislative department of state government.

(4) A political subdivision (as defined by IC 36-1-2-13).

(5) A school corporation (as defined by IC 36-1-2-17).

Sec. 3. As used in this chapter, "LEED rating system" refers to the United States Green Building Council's Leadership in Energy and Environmental Design rating system.

Sec. 4. A government building must be designed, constructed, operated, and maintained to achieve or exceed the level of energy efficiency determined under any of the following:

(1) The silver rating under the LEED rating system.

(2) The Two Globes rating under the Green Building Initiative's Green Globes rating system.

(3) The Environmental Protection Agency's Energy Star rating system.

(4) An equivalent rating under a rating system that is accredited by the American National Standards Institute.

Sec. 5. The owner of a government building shall consider the historic or aesthetic qualities of a building and the availability of local materials when determining the level of energy efficiency required of the design, construction, operation, and maintenance of the government building by section 4 of this chapter.

Sec. 6. (a) As used in this section, "Indiana hardwood lumber" means hardwood lumber harvested from real property located in Indiana.

(b) The owner of a government building may consider Indiana hardwood lumber for use as a local source material in any project in which the use of Indiana hardwood lumber is practicable.

SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "ASHRAE" refers to the American Society of Heating, Refrigerating, and Air Conditioning Engineers.

(b) As used in this SECTION, "commission" means the fire prevention and building safety commission.

(c) Notwithstanding IC 4-22-2-23 through IC 4-22-2-36, the commission shall revise the Indiana Energy Conservation Code set forth in 675 IAC 19-3 before January 1, 2010. Notwithstanding

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IC 4-22-2-23 through IC 4-22-2-36, the commission is required to complete the following procedures with respect to the revised Indiana Energy Conservation Code:

(1) Publish a notice of intent to adopt a rule in the Indiana Register before July 1, 2009.

(2) Publish the full text of the proposed rule in the Indiana Register before September 1, 2009.

(3) Conduct a public hearing on the proposed rule before October 1, 2009.

(4) Adopt a rule in the manner prescribed by IC 4-22-2-29 before November 1, 2009.

(5) Submit the adopted rule to the attorney general for review before November 10, 2009.

(6) Submit the rule to the governor for approval before November 25, 2009.

(7) Submit the rule that is approved by the governor or deemed approved under subsection (f) to the secretary of state before December 15, 2009.

(d) IC 4-22-2-28 and IC 4-22-2-28.1 do not apply to a rule adopted under this SECTION.

(e) Notwithstanding IC 4-22-2-32, the attorney general must complete the review of an adopted rule submitted under this SECTION before November 20, 2009. The attorney general may disapprove a rule submitted under this SECTION only if the attorney general finds that the rule has been adopted without complying with this SECTION.

(f) Notwithstanding IC 4-22-2-34, the governor has until December 10, 2009, to approve or disapprove a rule submitted under this SECTION. If the governor neither approves or disapproves the rule before December 10, 2009, the rule is deemed approved.

(g) The revised Indiana Energy Conservation Code adopted under this SECTION must contain standards that:

- (1) are substantially equivalent to; or
- (2) exceed;

the standards set forth in the ASHRAE 100-2006 and ASHRAE 90.1-2007 standards, as appropriate.

(h) This SECTION expires April 1, 2010.

SECTION 3. [EFFECTIVE JULY 1, 2009] The general assembly recognizes that the 2006 study:

- (1) conducted by the department of natural resources division of forestry; and

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1           (2) entitled "The Sustainability of Indiana's Forest  
2           Resources";  
3           indicates Indiana timberland acreage and volume has steadily  
4           increased since 1967.  
5           SECTION 4. An emergency is declared for this act.

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